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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,433	07/16/2003	J. Richard Hanna	D-1116R1 CIP	1731

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EXAMINER

GREIMEL, JOCELYN

ART UNIT	PAPER NUMBER
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3693

DATE MAILED: 08/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/621,433

Applicant(s)

HANNA ET AL.

Examiner

Jocelyn Greimel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/16/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The action is in response to Applicant's application of July 16, 2003, which is a CIP of 09/408,858, which claims the benefit of 60/109,941 and 60/135,720. Claims 1-32 are being examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1 and 26 are rejected under 35 U.S.C. 102(a) as being anticipated by Force et al (US Patent No. 6,109,522, hereinafter Force). In reference to claims 1 and 26, Force discloses a method and apparatus comprising: receiving depositor input via remote communication through at least one input device in operative connection with a deposit accepting machine, wherein the input includes data associated with at least one deposit item (col. 4, lines 1-67); depositing at least one deposit item into the deposit accepting machine (col. 5, lines 9-14).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

- 1. Determining the scope and contents of the prior art.
- 2. Ascertaining the differences between the prior art and the claims at issue.
- 3. Resolving the level of ordinary skill in the pertinent art.
- 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 2-25 and 27-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Force as applied to claims 1 and 26 above, and further in view of Tedesco et al (US Patent No. 6,282,523, hereinafter Tedesco).

7. In reference to claims 2-7 and 27-29, Force discloses the method further comprising: transmitting the input via an RF signal to the at least one input device (col. 4, lines 13-26); where the input device comprises a reader device, wherein the reader device is operative to read at least one radio frequency identification (RFID) tag with the

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reader device; the RFID tag includes the data; the method includes communicating with at least one radio frequency identification (RFID) device; the device comprises a tag, wherein the tag comprises deposit data, wherein the RFID tag deposit data is communicated (col. 19-20; col. 21, lines 1-44).

8. Force discloses the method comprising: transmitting the input to at least one input device, where the input device comprises a reader device to read a tag, and the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Force does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

9. In reference to claims 8-13 and 30-32, Force discloses the method comprising: depositing at least one RFID tag having data into the deposit accepting machine; wherein the deposit item includes at least one RFID tag; wherein the deposit item includes a deposit bag with an RFID tag, a deposit ticket with an RFID tag, at least on

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check with an RFID tag or a plurality of checks with at least one RFID tag (col. 5, lines 9-14).

10. Force discloses the method comprising transmitting the input to at least one input device where the input device comprises a reader device to read a tag, the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Force does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

11. In reference to claims 14-19, Force discloses the method where each check RFID tag includes check data associated with at least one check indicia and includes receiving check data (col. 39, lines 20-56); wherein check indicia is at least one of an account number, a check number, an amount, a payee and a payer wherein receiving check data associated with at least one of an account number, a check number, an amount, a payee and a payer (col. 10, lines 29-67); wherein the check data is a value, wherein the value is a function of plural check indicia and includes receiving that value

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(col. 10, lines 29-67); and wherein the RFID tag deposit data: corresponds to at least one of a deposit bag ID, an account number, a depositor ID and a deposit amount and includes communicating with at least one RFID tag comprising deposit data; corresponds to a deposit amount, wherein the deposit amount includes the types of deposit items involved in the deposit and their respective amounts and includes receiving the deposit amount from at least one RFID tag; corresponds to a depositor ID, wherein the depositor ID includes a digital signature and includes receiving the depositor ID from at least on RFID tag (col. 10, lines 29-67).

12. Force discloses the method comprising transmitting the input to at least one input device where the input device comprises a reader device to read a tag, the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Force does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

13. In reference to claims 20-22, Force discloses the method wherein the deposit accepting machine comprises: an automated merchant banking apparatus that includes depositing at least one deposit item into the automated merchant banking apparatus; an ATM, wherein the ATM is operative to communicate with a bank host computer and includes depositing at least one item into the ATM; wherein the ATM is operative to dispense currency deposited in and further dispensing deposited currency from the ATM (col. 5, lines 9-67; col. 6, lines 1-17).

14. Force discloses the method comprising transmitting the input to at least one input device where the input device comprises a reader device to read a tag, the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Force does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

15. In reference to claim 23, Force discloses the method comprising transmitting the input via wireless communication with at least one input device (col. 11, lines 1-10).

16. Force discloses the method comprising transmitting the input to at least one input device where the input device comprises a reader device to read a tag, the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Force does not disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

17. In reference to claims 24 and 25, Force discloses the method further comprising preparing with the deposit accepting machine at least one receipt comprising an RFID tag and the method including outputting from the deposit accepting machine at least one receipt comprising an RFID tag (col. 10, lines 29-58).

18. Force discloses the method comprising transmitting the input to at least one input device where the input device comprises a reader device to read a tag, the tag includes data. Additionally, the method includes communicating with a device and the device comprises a tag, the tag comprises deposit data that is communicated. Force does not

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disclose transmitting the input via a radio frequency signal to the device. Tedesco discloses transmitting an input via a radio frequency signal to the device (col. 4, lines 26-65). It would have been obvious to one with ordinary skill in the art at the time of the invention to modify transmitting the input to the input device via a tag with data to include transmitting the input via a radio frequency because Tedesco discloses using a radio frequency as one of several ways to transmit input in a banking device environment where currency is deposited and withdrawn (col. 3, lines 23-47).

Conclusion


19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Petite (US Patent No. 6,028,522).

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jocelyn Greimel whose telephone number is (571) 272-3734. The examiner can normally be reached Monday - Friday 8:30 AM - 4:30 PM EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jocelyn Greimel
Examiner
July 21, 2006



ELLA COLBERT
PRIMARY EXAMINER